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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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PATDOCTC@fr.com

Office Action Summary

Application No.

10/747,678

Applicant(s)

BEN-YOSEPH, ROY

Examiner

SHAQ TAHA

Art Unit

2446

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 September 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3, 7-14, 17-23, 26-33 and 36-45 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 7-14, 17-23, 26-33 and 36-45 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12/30/2008 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsman's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 09/12/2008
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

This is a Final action for application number 11/747,678 based on after non-final filed on 09/12/2008. The original application was filed on 12/30/2003. Claims 1 - 3, 7 - 14, 17 - 23, 26 - 33, and 36 - 45 are currently pending and have been considered below. Claims 1, 20, and 39 are independent claims. Claims 4, 5, 6, 15, 16, 24, 25, 34, and 35 are cancelled.

Response to Arguments

Applicant's arguments with respect to claims 1 - 3, 7 - 14, 17 - 23, 26 - 33, and 36 - 45 have been considered but are moot in view of the new ground(s) of rejection.

Specification

Claims 2, 3, 21, 22, and 23 are objected to because of the following informalities: claims depend on a proceeding claim. Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1 - 3, 7 - 14, 17 - 23, 26 - 33, and 36 - 45 are rejected under 35 U.S.C. 102(e) as being anticipated by Goldman et al. (US 2003/0233418).

Regarding claims 1, 20, and 39, a method of controlling aspects of communications between a user and senders: maintaining a list of identities associated with a user, **[an integrated or external contact list that is maintained by the new subscriber and identifies e-mail addresses can be used as a source of information for enabling the new subscriber to select authorized or unauthorized recipients, (Goldman et al., Paragraph 95)]**,

receiving one or more e-mails from an entity and directed to the user, **[As shown in FIGS. 3A and 3B, a mail processor 16 examines and processes each incoming electronic message 38, (Goldman et al., Paragraph 38)]**,

detecting one or more actions performed by the user on the received one or more e-mails from the entity, the actions supporting an inference that the entity is associated with the user, **[Mailbox 20 holds incoming electronic messages 38 until they are filtered according to data structure 18 by electronic messaging management application 11, (Goldman et al., Paragraph 39)]**,

determining that the entity is associated with the user based, at least in part, on the detected actions performed by the user on the received one or more e-mails that support an inference that the entity is associated with the user, **[filter out unsolicited electronic messages by referencing sender's addresses that have been categorized into "authorized" addresses, "unconfirmed" addresses, and**

"unauthorized" addresses, which categorizations have been previously stored in data structure 18, (Goldman et al., Paragraph 39)],

adding the entity to the maintained list when the entity is determined to be associated with the user based, at least in part, on the detected actions performed on the received one or more e-mails that support an inference that the entity is associated with the user related to e mail communications with the entity, **[If an unconfirmed sender's address is now determined to be authorized, the sender's address is added to the authorized category and deleted from the unconfirmed category, (Goldman et al., Paragraph 83)],**

receiving one or more e-mails directed to the user, **[As shown in FIGS. 3A and 3B, a mail processor 16 examines and processes each incoming electronic message 38, (Goldman et al., Paragraph 38)],**

identifying senders of the received e-mail, **[filter out unsolicited electronic messages by referencing sender's addresses that have been categorized into "authorized" addresses, "unconfirmed" addresses, and "unauthorized" addresses, which categorizations have been previously stored in data structure 18, (Goldman et al., Paragraph 39)],**

comparing the identified senders to the maintained list of identities associated with the user to determine which of the senders are included on in the maintained list, **[Filter module 24 compares a sender's address associated with an incoming electronic message to the categorizations provided or stored in data structure 18, (Goldman et al., Paragraph 49)],**

controlling aspects of communications between the user and the senders based on which of the senders are included in the maintained list, **[If the sender's address is located in the authorized category, the filter module 24 routes the incoming message to the user's inbox 28, (Goldman et al., Paragraph 49)].**

Regarding claims 2 and 21, the method of claim 44 wherein sorting the display based on which of the senders are included in the list comprises sorting the display such that e-mails from senders on the list are grouped in one position of the display, **[For instance, any desired set of folders or message boxes can be used, as well as sorting electronic messages based on the categorization of the sender, or the use of various colors, fonts, icons, or other visual mechanism to represent the categorization of the sender, (Goldman et al., Paragraph 50)].**

Regarding claims 3 and 22, the method of claim 44 wherein sorting the display based on which of the senders are included in the list comprises sorting the display such that e-mails from senders on the list are displayed and e-mails from senders not on the list are not displayed, **[For instance, any desired set of folders or message boxes can be used, as well as sorting electronic messages based on the categorization of the sender, or the use of various colors, fonts, icons, or other visual mechanism to represent the categorization of the sender, (Goldman et al., Paragraph 50)].**

Regarding claims 7 and 26, the method of claim 1 wherein the detected actions performed by the user on the received one or more e-mails that supports an inference that the entity is associated with the user include replying to, forwarding, saving, or printing an e-mail received from the entity, **[information specifying the actions that the user has performed with respect to the existing electronic messages, such as whether the electronic message has been forwarded, saved, read, (Goldman et al., Paragraph 94)]**.

Regarding claims 8 and 27, the method of claim 1 wherein the detected actions performed by the user on the received one or more e-mails that support an inference that the entity is associated with the user include moving an e-mail from a first folder to a second folder, **[The act of moving an electronic message from one folder or message box to another can also be used as a heuristic regarding how to categorize the sender, (Goldman et al., Paragraph 95)]**.

Regarding claims 9 and 28, the method of claim 8 wherein the first folder is an inbox folder and the second folder is a folder other than a delete folder or a spam folder, **[Fig. 3a, Ref # 28 and 31)]**.

Regarding claims 10 and 29, the method of claim 1 wherein the detected actions performed by the user on the received one or more e-mails that supports an inference that the entity is associated with the user include leaving an e-mail from the entity open

for a predetermined period of time, **[The request 35 also includes a time marker which is subsequently used to determine the timeliness of the response, (Goldman et al., Paragraph 57)].**

Regarding claims 11 and 30, the method of claim 1 further comprising:
determining that a second entity is associated with the user based, at least in part, on detecting a communication between the user and the second entity, **[Mailbox 20 holds incoming electronic messages 38 until they are filtered according to data structure 18 by electronic messaging management application 11, (Goldman et al., Paragraph 39)],**
adding the second entity to the maintained list when the second entity is determined to be associated with the user, **[If an unconfirmed sender's address is now determined to be authorized, the sender's address is added to the authorized category and deleted from the unconfirmed category, (Goldman et al., Paragraph 83)].**

Regarding claims 12 and 31, the method of claim 11 wherein the communication is an instant messaging communication, **[The term "electronic messaging" includes any form of sending a message electronically including, but not limited to, via electronic mail ("e-mail"), instant messaging, (Goldman et al., Paragraph 32)].**

Regarding claims 13 and 32, the method of claim 1 further comprising adding a second entity to the maintained list when the second entity is determined to be

associated with the user based, at least in part, on: accessing a contact list of the user to determine a first contact on the user's contact list, **[Fig. 3C, Ref # 70]**, and accessing a contact list of the first contact to determine a second contact on the first contact's contact list, **[Fig. 3C, Ref # 70]**.

Regarding claims 14 and 33, the method of claim 1 further comprising determining that a second entity is not associated with the user based, at least in part, on detecting user actions that negate an inference that the second entity is associated with the user, **[filter out unsolicited electronic messages by referencing sender's addresses that have been categorized into "authorized" addresses, "unconfirmed" addresses, and "unauthorized" addresses, which categorizations have been previously stored in data structure 18, (Goldman et al., Paragraph 39)]**.

Regarding claims 17 and 36, the method of claim 14 wherein the detected actions comprise moving a communication from the entity to either of a spam folder or a delete folder, **[The act of moving an electronic message from one folder or message box to another can also be used as a heuristic regarding how to categorize the sender, (Goldman et al., Paragraph 95)]**.

Regarding claims 18 and 38, the method of claim 1 further comprising: enabling the user to expressly designate a person as associated with the user, **[If an unconfirmed sender's address is now determined to be authorized, the sender's**

address is added to the authorized category and deleted from the unconfirmed category, (Goldman et al., Paragraph 83)],

and adding the designated person to the list, **[If an unconfirmed sender's address is now determined to be authorized, the sender's address is added to the authorized category and deleted from the unconfirmed category, (Goldman et al., Paragraph 83)].**

Regarding claim 19, the method of claim 1 wherein the people identities associated with the user are people identities known to the user, **[Fig. 3C, Ref # 70].**

Regarding claim 23, the medium of claim 45 wherein, to sort the display based on which of the senders are included in the list, the computer program further comprises instructions for causing a computer to sort the display such that e-mails from senders on the list are not displayed and e-mails from identities on the list are not displayed, **[For instance, any desired set of folders or message boxes can be used, as well as sorting electronic messages based on the categorization of the sender, or the use of various colors, fonts, icons, or other visual mechanism to represent the categorization of the sender, (Goldman et al., Paragraph 50)].**

Regarding claim 40, the method of claim 1 wherein detecting one or more actions performed by the user on the one or more emails from the entity, the user actions supporting an inference that the entity is associated with the user includes detecting a

combination of user actions performed on the one or more emails from the entity,
[Mailbox 20 holds incoming electronic messages 38 until they are filtered according to data structure 18 by electronic messaging management application 11, (Goldman et al., Paragraph 39)].

Regarding claim 41, the method of claim 1 further comprising: detecting one or more actions performed by the user on the received one or more e-mails from the entity the user actions supporting an inference that the entity is not associated with the user,
[Mailbox 20 holds incoming electronic messages 38 until they are filtered according to data structure 18 by electronic messaging management application 11, (Goldman et al., Paragraph 39)],

wherein determining that the entity is associated with the user includes determining that the entity is associated with the user based at least in part, on the detected actions performed by the user on the received one or more e-mails that supports an inference that the entity is not associated with the user, **[filter out unsolicited electronic messages by referencing sender's addresses that have been categorized into "authorized" addresses, "unconfirmed" addresses, and "unauthorized" addresses, which categorizations have been previously stored in data structure 18, (Goldman et al., Paragraph 39)],**

and the detected actions performed by the user on the received one or more e-mails that support an inference that the entity is associated with the user, **[Mailbox 20 holds incoming electronic messages 38 until they are filtered according to data**

structure 18 by electronic messaging management application 11, (Goldman et al., Paragraph 39)].

Regarding claim 42, the method of claim 1 wherein determining that the entity is associated with the user based, at least in part, on the detected actions performed by the user on the received one or more e-mails that supports an inference that the entity is associated with the user includes: associating a score with each of the detected actions performed by the user on the received one or more e-mails from the entity, the score indicating a strength of the action in supporting an inference that the entity is associated with the user, **[filter out unsolicited electronic messages by referencing sender's addresses that have been categorized into "authorized" addresses, "unconfirmed" addresses, and "unauthorized" addresses, which categorizations have been previously stored in data structure 18, (Goldman et al., Paragraph 39)],**

aggregating the associated scores of detected actions performed by the user on the received one or more e-mails from the entity, **[filter out unsolicited electronic messages by referencing sender's addresses that have been categorized into "authorized" addresses, "unconfirmed" addresses, and "unauthorized" addresses, which categorizations have been previously stored in data structure 18, (Goldman et al., Paragraph 39)],**

comparing the aggregated score with a threshold score, **[Filter module 24 compares a sender's address associated with an incoming electronic message to**

the categorizations provided or stored in data structure 18, (Goldman et al., Paragraph 49)],

and determining that the entity is associated with the user when the aggregated score exceeds the threshold score, **[If an unconfirmed sender's address is now determined to be authorized, the sender's address is added to the authorized category and deleted from the unconfirmed category, (Goldman et al., Paragraph 83)].**

Regarding claim 43, the method of claim 42 further comprising: associating a negative score to an action performed by the user on the received one or more e-mails from the entity, the action supporting an inference that the entity is not associated with the user, **[filter out unsolicited electronic messages by referencing sender's addresses that have been categorized into "authorized" addresses, "unconfirmed" addresses, and "unauthorized" addresses, which categorizations have been previously stored in data structure 18, (Goldman et al., Paragraph 39)].**

Regarding claim 44, the method of claim 1 wherein controlling aspects of communications between the user and senders based on which of the senders are included in the maintained list includes displaying a list of the e-mails directed to the user, **[If the sender's address is located in the authorized category, the filter module 24 routes the incoming message to the user's inbox 28, (Goldman et al., Paragraph 49)],**

and sorting the displayed list of e-mails based on which of the senders are included in the maintained list, **[For instance, any desired set of folders or message boxes can be used, as well as sorting electronic messages based on the categorization of the sender, or the use of various colors, fonts, icons, or other visual mechanism to represent the categorization of the sender, (Goldman et al., Paragraph 50)].**

Regarding claim 45, the computer-usable medium of claim 20 wherein control aspects of communications between the user and senders based on which of the senders are included in the maintained list includes display a list of the e-mails directed to the user, **[If the sender's address is located in the authorized category, the filter module 24 routes the incoming message to the user's inbox 28, (Goldman et al., Paragraph 49)],**

and sort the displayed list of e-mails based on which of the senders are included in the maintained list, **[For instance, any desired set of folders or message boxes can be used, as well as sorting electronic messages based on the categorization of the sender, or the use of various colors, fonts, icons, or other visual mechanism to represent the categorization of the sender, (Goldman et al., Paragraph 50)].**

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeff Pwu can be reached on 571-272-6798.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should

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you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/S. T./

Examiner, Art Unit 2446

/Jeffrey Pwu/

Supervisory Patent Examiner, Art Unit 2446